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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/730,370	12/05/2003	Brad S. Perry	11512.12	2843
21999	7590	05/31/2006	EXAMINER	
KIRTON AND MCCONKIE 1800 EAGLE GATE TOWER 60 EAST SOUTH TEMPLE P O BOX 45120 SALT LAKE CITY, UT 84145-0120			TIMBLIN, ROBERT M	
			ART UNIT	PAPER NUMBER
			2167	

DATE MAILED: 05/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/730,370	Applicant(s) PERRY, BRAD S.	
	Examiner Robert M. Timblin	Art Unit 2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on _____ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This office action corresponds to application 10/730,370 filed 12/5/2003.

Claims 1-25 have been examined and are pending prosecution.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-25 are rejected under 35 U.S.C. 102(e) as being anticipated by

Gabbita et al. ('Gabbita') (US 6,937,993).

With respect to claim 1, **Gabbita** teaches A method for tracking a process comprising the steps of:

'providing a computer readable medium' (fig.6).

'identifying a class of participants' as selected resources (abstract) defined in column 2lines 33-34).

'identifying a class of monitoring individuals who monitor the progress of a process through a global computer network' as users from various organizations

view information about current Service Orders. Such information can include progress data and workflow (abstract and col. 5 lines 24-51).

'providing selective access to the computer readable medium through the global computer network to the monitoring individuals' as authorized staff (col. 16, lines 6-15).

'inputting the process into the computer readable medium' as storing data associated with the processing and tracking of orders (col. 4 lines 49-54).

'instructing a first service provider in the class of participants through a message sent over the global computer network to begin a first task in the process and to report progress via the computer readable medium' (col. 2 lines 57-63).

'receiving the first service provider's progress report to the computer readable medium' (col. 3 lines 10-13).

'automatically notifying pre-selected participants and monitoring individuals through a message sent over the global computer network when the first task is completed' (col. 2 lines 57-63 and figure 2).

'instructing a second service provider in the class of participants through a message sent over the global computer network to begin a second task in the process and to report progress via the computer readable medium' (col. 1 line 63-col. 2 line 8 and figure 2).

'receiving the second service provider's progress report to the computer readable medium' as storing data associated with the processing and tracking of orders (col. 4 lines 49-54).

'automatically notifying the pre-selected participants and the monitoring individuals through a message sent over the global computer network when the second task is completed' (col. 2 lines 57-63 and figure 2).

With respect to claims 2, 10 and 17, **Gabbita teaches 'giving a deadline wherein the deadline is either a specific date or a floating period'** as a due date (col. 9 lines 19-27)

With respect to claims 3, 11, and 18, **Gabbita teaches 'modifying the process'** (col. 9 lines 50-55).

With respect to claims 4-6, 12-14, and 19-21, **Gabbita teaches the process is linear and parallel'** as the description to workflow beginning column 17 line 17 and in figure 3.

With respect to claims 7, 15, and 22, **Gabbita teaches 'the first service provider's progress report includes the first service provider's work product'** (abstract).

With respect to claim 8, **Gabbita teaches 'once the first service provider has completed the first task and the second service provider has been instructed to begin the second task, the first service provider's access to the computer**

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readable medium through the global computer network becomes limited' as assigning Resources to workflow steps in a plan (col. 5 lines 52-65).

With respect to claim 24, the limitations of this claim are similar to those of the preceding claims and therefore are rejected on the same grounds. Furthermore, **Gabbita** teaches **'providing an original group of data that the first service provider manipulates'** as existing orders (col. 9 lines 50-55

'providing access to a manipulated group of data and the original group of data to the second service provider for further manipulation' as supplemental orders (col. 9 lines 50-55).

With respect to claim 25, **Gabbita** teaches **'the original group of data is categorized, creating a categorized group of data while leaving the original group of data in its pristine state'** (col. 13 lines 24-30).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. 6,868,387

U.S. 2004/0193641

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Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert M. Timblin whose telephone number is 571-272-5627. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John R. Cottingham can be reached on 571-272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

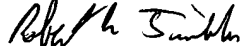
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Leslie Wong

Primary Examiner

RMT
5/22/2006

Robert M. Timblin


Patent Examiner AU 2167